

**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-5  
AGENDA DATE: Thu 03/23/2006  
PAGE: 1 of 1**

**SUBJECT:** C14-06-0006 - Training Room Sports, L.L.P. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13713 Research Boulevard (Lake Creek Watershed) from community commercial (GR) district zoning and interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Jefferson-Pilot Life Insurance Company (J. Michael Solomon). Agent: The Faust Group. City Staff: Sherri Sirwaitis, 974-3057.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0006

**Z.A.P. DATE:** February 21, 2006

**ADDRESS:** 13713 Research Boulevard (12611 Hymeadow Drive)

**OWNER/APPLICANT:** Jefferson-Pilot Life Insurance Company (J. Michael Solomon)

**AGENT:** The Faust Group (William Faust)

**ZONING FROM:** GR, I-RR

**TO:** GR

**AREA:** 1.400 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay district, zoning. The conditional overlay would limit the development intensity to less than 2,000 vehicle trips per day.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

2/21/06: Approved staff's recommendation of GR-CO by consent (8-0, T. Rabago-not yet arrived); J. Martinez-1<sup>st</sup>, J. Pinnelli-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with a retail building (vacant pharmacy). The applicant is requesting to rezone the site to bring the existing structure into conformance with the City of Austin Land Development Code regulations. The applicant proposes to develop an Indoor Sports and Recreation use on the property.

The staff recommends GR-CO, Community Commercial-Conditional Overlay district, zoning for this tract of land because the property meets the intent of GR district as it is located at the intersection of a collector street and a major arterial roadway. There are existing restaurant and retail uses located to the north and south and a hotel use adjacent to the west of the site under consideration. The property takes access to the northbound service road for U.S. Highway 183.

The applicant agrees with the staff recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR, I-RR	Vacant Retail Structure
<i>North</i>	GR	Retail Center
<i>South</i>	GR, I-RR	Restaurant (Hooters)
<i>East</i>	I-RR	Hotel (Crossland Economy Studios)
<i>West</i>	GR	Medical Office

**AREA STUDY:** N/A

**TIA:** Not Required

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

157 – Courtyard Homeowner Association  
281 – Anderson Mill Neighborhood Association  
426 – River Place Residential Community Association, Inc.  
454 – Neighborhood Association of SW Williamson County

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0145	I-RR to GR	10/28/03: Approved staff's recommendation of GR-CO zoning, by consent (8-0, J. Martinez-absent)	11/20/03: Granted GR-CO (6-0, Goodman- off the dias); all 3 readings
C14-03-0104	I-RR, SF-2, GR, CS to GR-CO	8/12/03: Approved staff's recommendation of GR-CO zoning by consent (9-0)	9/25/03: Granted GR-CO (7-0); all 3 readings
C14-02-0196	SF-2 to GR	1/28/03: Approved GR-CO zoning, prohibit all Automotive uses [Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type)] (6-0, K. Jackson, J. Martinez -off dias, J. Donisi-absent)	2/27/03: Granted GR-CO on all 3 readings (6-0, Goodman-out of room)
C14-01-0165	CS-CO to CS-CO	12/11/01: Approved staff's recommendation of CS-CO zoning (7-0, A. Adams-absent); the CO is for the following conditions: 1) Limit the site to Convenience Storage as the only CS use, 2) Allow all LR uses with the exception of a Service Station, 3) Limit the site to a maximum building height of 45 feet, and 4) Limit the development intensity to less than 2,000 vehicle trips per day.	1/17/02: Approved CS-CO on all 3 readings (6-0, Wynn out of room)
C14-01-0155	I-RR to GR	11/27/01: Approved staff rec. of GR-CO zoning by consent (8-0, DC- absent); CO limits the development intensity to less than 2,000 vehicle trips per day.	1/10/02: Approved GR-CO on all 3 readings (6-0, Goodman out of room).
C14-01-0018	SF-2 to GR	3/27/01: Approved staff rec. of GR (7-2, JM/RC-No)	4/26/01: Approved GR (7-0); 1 <sup>st</sup> reading

			6/14/01: Approved GR (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings; Lot with 10117 address pulled out of rezoning request by the applicant
C14-00-2184	DR to GR	10/17/00: Approved staff rec. of GR by consent (5-2-1, JM/RC- No, BB-abstain)	11/30/00: Approved GR (7-0); all 3 readings
C14-00-2105	I-RR to GR	7/25/00: Approved staff rec. of GR-CO w/height limit of 35 ft. (7-1, BB-Nay)	8/24/00: Approved GR-CO (7-0), all 3 readings
C14-99-0020	I-SF-2 to CS	6/22/99: Approved CS-CO (southern property line), GR-CO (northern property line) w/ conditions (6-0): 1) Limit the development intensity to less than 2,000 vehicle trips per day. 2) Prohibit access to Pond Woods Drive. 3) Place a 20 ft wide vegetative buffer along the east property line. 4) Prohibit the following uses: a. Commercial Off-Street Parking b. Cocktail Lounge c. Liquor Sales d. Outdoor Entertainment e. Exterminating Services f. Pawn Shop Services g. Adult Oriented Businesses h. Outdoor Sports and Recreation i. Automotive Washing j. Drop-Off Recycling Collection Facility	7/22/99: Approved PC rec. of GR- CO w/ conditions (6-0); 1 <sup>st</sup> reading  8/19/99: Approved GR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-0019	I-SF-2 to CS	6/22/99: Approved CS-CO (southern property line), GR-CO (northern property line) w/ conditions (6-0): 1) Limit the development intensity to less than 2,000 vehicle trips per day. 2) Prohibit access to Pond Woods Drive. 3) 20 ft wide vegetative buffer along the east property line. 4) If the property is developed w/Convenience Storage use then the 20 ft wide buffer shall	7/22/99: Approved PC rec. of CS- CO w/ conditions (6-0); 1 <sup>st</sup> reading  8/19/99: Approved CS-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

		<p>increase to 65 ft wide vegetative buffer along east property line.</p> <p>4) Prohibit the following uses:</p> <ul style="list-style-type: none"> <li>a. Custom Manufacturing</li> <li>b. Agricultural Sales and Services</li> <li>c. Building Maintenance Services</li> <li>d. Construction Sales and Services</li> <li>e. Equipment Repair Services</li> <li>f. Kennels</li> <li>g. Monument Retail Sales</li> <li>h. Veterinary Services</li> <li>i. Transitional Housing</li> <li>j. Limited Warehousing and Distribution</li> <li>k. Art and Craft Studio (General)</li> <li>l. Campground</li> <li>m. Electronic Prototype Assembly</li> <li>n. Equipment Sales</li> <li>o. Laundry Services</li> <li>p. Vehicle Storage</li> <li>q. Maintenance and Service Facilities</li> <li>r. Transportation Terminal</li> </ul>	
C14-98-0271	I-RR, LO to GR	2/2/99: Approved staff rec. of GR by consent (8-0)	3/25/99: Approved PC rec. of GR (7-0); all 3 readings
C14-98-0187	DR to GR	12/8/98: Approved GR by consent (8-0)	1/7/99: Approved PC rec. of GR-CO w/ conditions (7-0); all 3 readings
C14-98-0088	I-SF-4 to SF-4	8/18/98: Approved SF-4A-CO w/ conditions (7-0)	10/8/98: Approved PC rec. of SF-4A-CO w/conditions (6-0); all 3 readings
C14-98-0086	SF-2 to GR	8/18/98: Approved GR-CO with conditions by consent (7-0)	10/8/98: Approved PC rec. of GR-CO w/ conditions (6-0); all 3 readings
C14-98-0022	DR to RR	3/24/98: Approved RR by consent (8-0)	4/30/98: Approved PC rec. of RR (7-0); all 3 readings
C14-97-0125	SF-2 to GR	10/28/97: Approved staff rec. of GR (9-0)	11/20/97: Approved GR zoning (7-0); all 3 readings
C14-95-0012	RR to GR	2/28/95: Approved GR-CO, with CO for 2,000 vtpd limit (7-0)	3/30/95: Approved PC rec. of GR-CO (6-0); all 3 readings

**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification
US 183	400'	40' (Frontage Road)	Major Arterial
Hymecadow Drive	70'	46'	Collector

**CITY COUNCIL DATE:** March 23, 2006

**ACTION:**

**ORDINANCE READINGS:** 1st

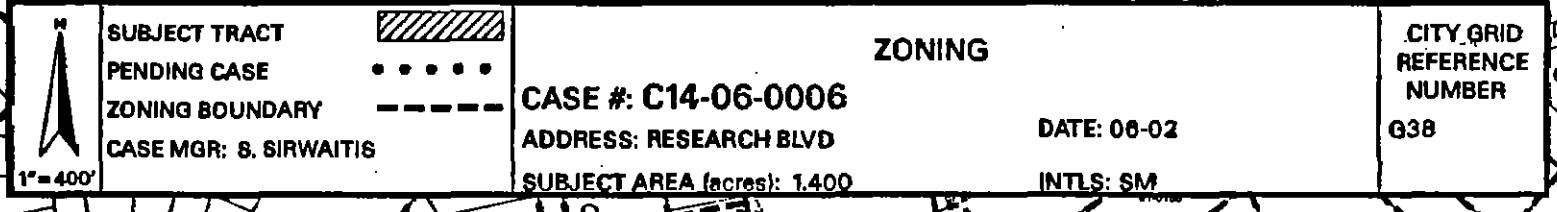
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



## **STAFF RECOMMENDATION**

The staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay district, zoning. The conditional overlay would limit the development intensity to less than 2,000 vehicle trips per day.

## **BASIS FOR RECOMMENDATION**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

2. *The proposed zoning should promote consistency, and orderly planning.*

The GR-CO zoning district would be compatible and consistent with the surrounding uses because there are existing commercial uses to the north (retail center), south (restaurant), and east (hotel) of the proposed site. The property is located adjacent to GR zoning to the north and west.

3. *The proposed zoning should allow for a reasonable use of the property.*

The GR-CO zoning district would allow for a fair and reasonable use of the site. GR-CO zoning will allow the applicant to bring the existing commercial structure into conformance with the City of Austin Land Development Code regulations.

4. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The proposed GR-CO zoning is appropriate for this location because of the commercial character of the area and because of the site's frontage on U.S. Highway 183. The property is located at the intersection of a collector street and a major arterial roadway.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is currently developed with a vacant retail structure that has driveway access to Hymeadow Drive and to the northbound service road for U.S. Highway 183. There are retail uses to the north of the site across Hymeadow Drive, restaurant uses to the south, and a hotel use to the east along Pond Woods Road.

### **Impervious Cover**

The maximum impervious cover allowed by the GR zoning district would be 90 %. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:



Development Classification	% of Net Site Area	% NSA with Transfers
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

### **Environmental**

The site is located over the North Edward's Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no flood plain within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

### **Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 4,924 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics). The proposed 11,027sf indoor sports and recreation use will generate approximately 252 vehicle trips per day.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

**Existing Street Characteristics:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>
US 183	400'	40' (Frontage Road)	Major Arterial
Hymeadow Drive	70'	46'	Collector

There are existing sidewalks along Hymeadow Drive.

Neither U.S. 183 nor Hymeadow Drive is classified in the Bicycle Plan as a Priority bike route.

Capital Metro bus service is available along US 183.

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the City inspected fee.

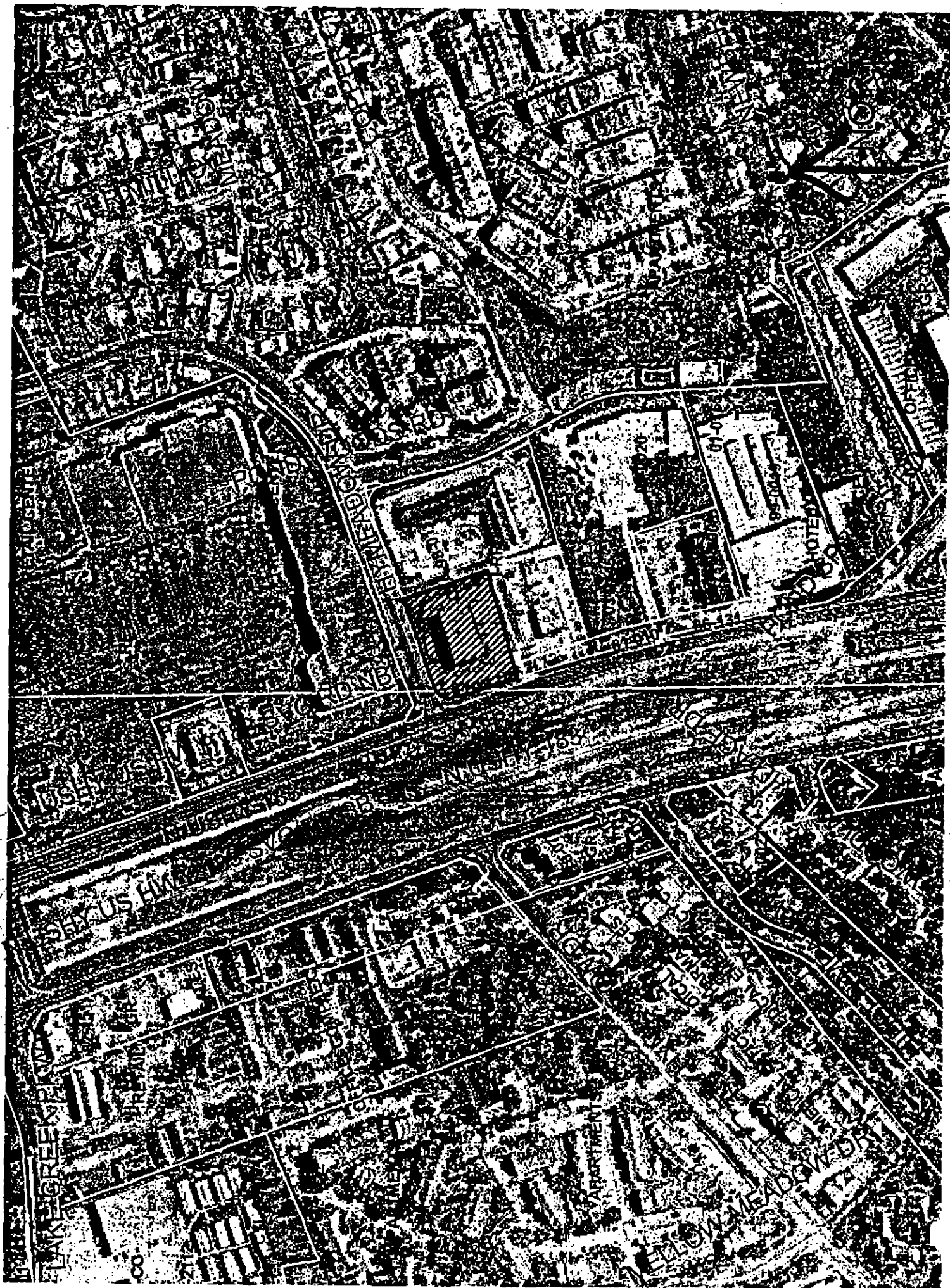
**Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

**Compatibility Standards**

The property is not subject to compatibility regulations.





**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 13713 RESEARCH BOULEVARD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT AND COMMUNITY COMMERCIAL (GR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim rural residence (I-RR) district and community commercial (GR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-06-0006, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 4, Block A, Heritage Center Northwest Subdivision, a subdivision in the City of Austin, Williamson County, Texas, according to the map or plat of record in Cabinet M, Slides 173-174, of the Official Public Records of Williamson County, Texas (the "Property"),

locally known as 13713 Research Boulevard, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

1 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

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3  
4 **PASSED AND APPROVED**

5  
6 \_\_\_\_\_  
7  
8 \_\_\_\_\_, 2006

§  
§  
§

9 Will Wynn  
10 Mayor





11  
12  
13 **APPROVED:** \_\_\_\_\_

14 David Allan Smith  
15 City Attorney

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk



 1" = 400'	<b>SUBJECT TRACT</b> 	<b>ZONING EXHIBIT A</b>		<b>CITY GRID REFERENCE NUMBER</b> Q38
	<b>PENDING CASE</b> 			
	<b>ZONING BOUNDARY</b> 	<b>CASE #:</b> C14-06-0006		
	<b>CASE MGR:</b> S. SIRWAITIS	<b>ADDRESS:</b> RESEARCH BLVD <b>SUBJECT AREA (acres):</b> 1.400		
		<b>DATE:</b> 08-02	<b>INTLS:</b> SM	